

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA : **ORDER**
- v. - : 21 Mag. 1888
RALPH MERCADO, :
: Defendant.
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Upon the motion of counsel for the defendant, RALPH MERCADO, and for the reasons stated on the record during the defendant's initial appearance in this matter on February 18, 2021 it is hereby

ORDERED, pursuant to Title 18, United States Code, Sections 4241(b), 4247(b) and 4247(c), that the defendant RALPH MERCADO be committed to the custody of the Attorney General for placement in a suitable facility, consistent with the provisions of Section 4247(b), for a period of thirty days for an examination to determine whether the defendant is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense, and for any necessary treatment; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 4247(b), that a qualified examiner (the "examiner") conduct a psychiatric or psychological examination at a suitable facility; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 4247(b), that the examiner complete the examination of the defendant RALPH MERCADO within thirty (30)

days of the defendant's arrival at the suitable facility upon the entry of this Order; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 4247(c), that within a reasonable time following the conclusion of this examination, the examiner file a psychiatric and psychological report with the Court with copies provided to defense counsel John S. Wallenstein, Esq., 1100 Franklin Avenue, Suite 305, Garden City, New York 11530, and Assistant United States Attorney Nicholas S. Bradley, United States District Courthouse, 300 Quarropas Street, White Plains, NY 10601 in order to assist the Court and counsel in the determination of whether the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense; and it is further

ORDERED, that the psychiatric and psychological report(s) shall include:

1. The defendant's history and present symptoms;
2. A description of the psychiatric, psychological, and medical tests that were employed and their results;
3. The examiners' findings, including diagnosis and prognosis;
4. The examiners' opinions as to whether the defendant is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense; and it is further

ORDERED, that following the examination of the defendant, any hearing pursuant to 18 U.S.C. §§ 4241(c) and 4247(d) shall be held at a date and time to be ordered by the Court as

necessary concerning the mental competency of the defendant; and it is further

ORDERED, that the Clerk of the Court serve a copy of this Order upon the United States Marshals Service for the Southern District of New York.

DATED: February 19, 2021
White Plains, New York

Judith C. McCarthy
HONORABLE JUDITH C. McCARTHY
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK